

Amendment and Response
Applicants: Richard Kusleika et al.
Serial No. 10/084,263

Attorney Docket: MVA1002USC2

REMARKS

Claims 1 to 25 are pending. Claims 1, 8, 9, 12 and 17 are amended.
Claims 21 to 25 are new. Claims 2 to 7, 10, 11, 13 to 16 and 18 to 20 are original.
All of the changes to the claims find support in this application as filed.
Reconsideration and allowance of all claims is respectfully solicited in light of the
above amendments and the following remarks.

Rejections of claims 1 to 20 under 35 U.S.C. § 102(e)

Claims 1 to 20 are rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,179,859 to Bates, et al. ("Bates"). The Examiner's rejection is respectfully traversed. It is fundamental that in order for a reference to anticipate it must disclose or teach all limitations of the claims.

Claims 1, 8, 9, 12 and 17 have been amended and new claims 21 to 25 have been added. Amended independent claims 1, 9 and 17, the claims dependent thereon, and new claims 22 and 24, require that the proximal length of the mandrel has a proximal diameter and the distal length of the mandrel has a distal diameter and wherein the proximal and distal diameters are substantially equal. Amended independent claims 8 and 12, the claims dependent thereon, and new claims 21, 23 and 25, require that the proximal slider comprises a proximal annular ring defining an opening having an inner diameter and the distal slider comprises a distal annular ring defining an opening having an inner diameter and wherein the inner diameter of the openings in the proximal and distal annular rings are substantially equal. Bates does not teach or suggest either of these limitations. All of the presently pending claims clearly distinguish over Bates. Withdrawal of this ground of rejection is solicited.

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Claims 1 to 11 are rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,336,934 to Gilson, et al. ("Gilson"). The Examiner's rejection is respectfully traversed. It is fundamental that in order for a reference to anticipate it must disclose or teach all limitations of the claims.

Gilson does not anticipate the pending claims. FIGS. 28-31 of Gilson, to which the Examiner refers, do not meet the terms of the present claims. Amended independent claims 1, 8 and 9 and claims 2-7, 21, 22 and 23, dependent thereon, respectively, require the "distal slider being slidably carried along the distal length of the mandrel" and the "distal length of the mandrel extending distally of the stop." Gilson's element 65 ("olive") is not slidably carried along the distal length of the mandrel (Gilson's support element 2) extending distally of the stop (Gilson's marker band 70) in Gilson's FIGS. 28-31. Amended independent claims 12 and 17 and new claims 24 and 25, dependent thereon, respectively, require the "distal slider being carried along the mandrel between the stop and the distal end of the mandrel." Gilson's element 65 ("olive") is not carried on the mandrel (Gilson's support element 2) between the stop (Gilson's marker band 70) and the distal end of the mandrel (Gilson's support element 2) in Gilson's FIGS. 28-31. There is no disclosure in Gilson as a whole that anticipates or suggests any of the present claims. All of the presently pending claims clearly distinguish over Gilson. Applicants solicit withdrawal of this ground of rejection.

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CONCLUSION

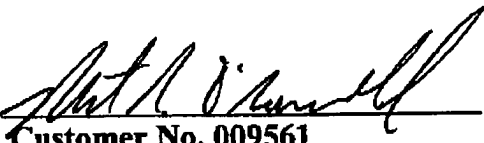
Applicants respectfully submit that, in light of the above amendments and remarks, present claims 1 to 25 are in condition for allowance. Should any minor matters remain before the issuance of a formal Notice of Allowance, the Examiner is requested to telephone the undersigned to reach prompt resolution thereof.

If any additional fees are due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 16-2312. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

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By



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